

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

VINO BELLEO	Application #: 243-045/13335-000	200-00473				
	Date Received: 7/2/13	A				
	Application Accepted By: 5, Pive	Fee: #3830				
	Application Accepted By: 5, Pine Comments: Assigned to Shannon Pine	, 645-2208, spineDca	olum bus,gev			
	LOCATION AND ZONING REQUEST:					
	Certified Address (for Zoning Purposes) 2735 Winchester P	ike	Zip 43232			
	Is this application being annexed into the City of Columbus If the site is currently pending annexation, Applicant must sho petition.	Yes No (circle one) w documentation of County Commissioner's ac				
	Parcel Number for Certified Address Part of 530-148736					
	Check here if listing additional parcel numbers on a separate page.					
		Requested Zoning District(s) CPD				
	Area Commission Area Commission or Civic Association: Southeast Community Coalition					
	Proposed Use or reason for rezoning request: Fuel Sales; Co	nvenience Store Retail				
		(continue o	n separate page if necessary)			
	Proposed Height District: H-35 [Columbus City Code Section 3309.]	Acreage 2.5 +/-				
	(Columbus City Code Section 3309.	. 1 1]				
	APPLICANT:					
	Name TH Midwest, Inc. c/o Steve Fuller					
	Address 2600 Corporate Exchange Blvd., Ste 170	City/State Columbus / Ohio	Zip 43231			
	Phone # 614-981-3255 Fax #	Email steve.fuller@minitmarkets.com				
	PROPERTY OWNER(S): Name Berwick Plaza Shopping Center, Inc. c/o Charlie Fraas					
	Address 191 W. Nationwide Blvd.	City/State Columbus / Ohio	Zip 43215			
	Phone # 614-227-3485 Fax # 614-221-4454		Zip			
	Check here if listing additional property owners on a separate page					
	ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)	Attorney Agent				
	Name Christopher A. Rinehart c/o Rinehart Legal Services	• — •				
	Address 300 East Broad Street, Suite 450	City/State Columbus / Ohio	Zip 43215			
		Email: crinehart@rinehartlegal.com	Zip			
	SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)					
	APPLICANT SIGNATURE CHACLES MUST BE PROVIDED AND SIGNED	D IN BLUE INK)				
	PROPERTY OWNER SIGNATURE					
(ATTORNEY AGENT SIGNATURE					
•	My signature attests to the fact that the attached application package is	complete and accurate to the best of my knowledge	. I understand that the City			
	staff review of this application is dependent upon the accuracy of the in by me/my firm/etc. may delay the review of this application.	ntormation provided and that any inaccurate or inade	equate information provided			



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Application #: 213-045/13385-00	000-00473			
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LOCATION AND ZONING REQUEST:				
Certified Address (for Zoning Purposes) Is this application being annexed into the City of Columbus If the site is currently pending annexation, Applicant must show a petition.	Yes No (circle one) documentation of County Commissioner's a	Zip		
Parcel Number for Certified Address Part of 530-148736				
Check here if listing additional parcel numbers on a se	parate page.			
Current Zoning District(s) C-4; LM	Requested Zoning District(s) CPD			
Area Commission Area Commission or Civic Association. South				
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		n separate page if necessary)		
Proposed Height District: H-35	Acresce 2.5 +/-	, , , , , , , , , , , , , , , , , , , ,		
[Columbus City Code Section 3309.14]				
APPLICANT: Name TH Midwest, Inc. c/o Steve Fuller				
Address 2600 Corporate Exchange Blvd., Ste 170	City/State Columbus / Ohio	Zip 43231		
Phone # 614-981-3255 Fax #				
PROPERTY OWNER(5): Name Berwick Plaza Shopping Center, Inc. c/o Charlie Fraas				
Address 191 W. Nationwide Blvd.	City/State Columbus / Ohio	Zip 43215		
	Email cfraas@castoinfo.com			
Check here if listing additional property owners on a separate page				
ATTORNEY / AGENT (CHECK ONE IF APPLICABLE) Name Christopher A. Rinehart c/o Rinehart Legal Services, Li	Attorney			
Address 300 East Broad Street, Suite 450	City/State Columbus / Ohio	Zip 43215		
Phone # 614-221-1244 Fax # 614-343-1549 I	Email: crinehart@rinehartlegal.com			
SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN	BLUE INK)			
PROPERTY OWNER SIGNATURE	: Ma Fr ulmin &	in agen / Justine		
ATTORNEY / AGENT SIGNATURE		8		
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AFFIDAVIT

(See	instru	ıction	sheet)
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(See instruction sheet)					
	APPLICATION # Z13-045				
STATE OF OHIO					
COUNTY OF FRANKLIN					
of (1) MAILING ADDRESS Rinehart Legal Services, Ltd. / 300 East	ng first duly cautioned and sworn (1) NAME Christopher A. Rinehart 1) MAILING ADDRESS Rinehart Legal Services, Ltd. / 300 East Broad Street, Suite 450 / Columbus / Ohio / 43215				
list of the name(s) and mailing address(es) of all t					
	ERTIFIED ADDRESS FOR ZONING PURPOSES 2735 Winchester Pike				
and Zoning Services, on (3)	which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building				
(THIS	LINE TO BE FILLED OUT BY CITY STAFF)				
SUBJECT PROPERTY OWNERS NAME	(4) Berwick Plaza Shopping Center, Inc.				
AND MAILING ADDRESS	ATTN: Charlie Fraas				
Check here if listing additional property owners	191 W. Nationwide Bl, 2 Flr				
on a separate page.	Columbus, Ohio 43215				
APPLICANT'S NAME AND PHONE #	TH Midwest, Inc.				
(same as listed on front of application)	ATTN: Mr. Steve Fuller / 614-981-3255				
(same as issue on from or approaction)					
REA COMMISSION OR CIVIC GROUP	(5) Southeast Community Coalition				
AREA COMMISSION ZONING CHAIR OR	Judy White, Zoning Chair, P.O. Box 16, Brice, Ohio, 43109				
CONTACT PERSON AND ADDRESS	Monte L. Johnson, Chair, 2780 Millvale St., Columbus, Ohio, 43232				
shown on the County Auditor's Current Tax I record of property within 125 feet of the exterior	the names and complete mailing addresses, including zip codes, as List or the County Treasurer's Mailing List, of all the owners of or boundaries of the property for which the application was filed, and it of the applicant's or owner's property in the event the applicant or to the subject property(7)				
SIGNATURE OF AFFIANT (8)	Ctt/Citt				
Subscribed to me in my presence and before me this 2nd	day of July , in the year 2013				
SIGNATURE OF NOTARY PUBLIC (8	1202				
My Commission Expires:					
way Commission Expires.					

This Affidavit expires six months after date of notarization.

Notary Seal Here

JAMES ROBERT RISHEL ATTORNEY AT LAW Notary Public, State of Ohio My Commission Has No Expiration Section 147.03 R.C.

APPLICANT

PROPERTY OWNER

ATTORNEY

TH Midwest, Inc. ATTN: Mr. Steve Fuller 2600 Corporate Exchange Boulevard, Suite 170 Columbus, Ohio 43231

Berwick Plaza Shopping Center, Inc. ATTN: Charlie Fraas 191 W. Nationwide Bl., 2 Flr Columbus, Ohio 43215 Christopher A. Rinehart, Esq. Rinehart Legal Services, Ltd. 300 East Broad Street, Suite 450 Columbus, Ohio 43215

CIVIC ASSOCIATION

Ms. Judy White, Zoning Chair Southeast Community Coalition P.O. Box 16 Brice, Ohio 43109 Mr. Monte L. Johnson, Chair Southeast Community Coalition 2780 Millvale St. Columbus, Ohio 43232

SURROUNDING PROPERTY OWNERS

Barbara L. Annable 2810 Lake Park Drive Columbus, Ohio 43232 Harrison T. Baisden 3070 Wessex Court Columbus, Ohio 43232 Burger King Corporation 17777 Old Cutler Road Miami, FL 33157

Kevin E. Cantley Aimie L. Cantley 2780 Lake Park Drive Columbus, Ohio 43232 Shirley Tod Castle 3050 Wessex Court Columbus, Ohio 43232 Jamie L. Colwell 3100 Wessex Court Columbus, Ohio 43232

Connie S. Corne 3082 Wessex Court Columbus, Ohio 43232 Creative Housing Inc. 2233 City Gate Drive Columbus, Ohio 43219 Peggy L. Everetts 3060 Wessex Court Columbus, Ohio 43232

Dan George 3042 Wessex Court Columbus, Ohio 43232 Mary M. Gordon 2786 Lake Park Drive Columbus, Ohio 43232 Don Hickman 1166 Wyandotte Road Columbus, Ohio 43212

Brenda J. Higginbotham 2800 Lake Park Drive Columbus, Ohio 43232 Freeman McGeary Lampung McGeary 2842 Lake Park Drive Columbus, Ohio 43232

Donna M. Obadina 3113 Winchester Court Columbus, Ohio 43232 Pentecostal Worship Center P.O. Box 32300 Columbus, Ohio 43232

Paul J. Shelfo 2824 Lake Park Drive Columbus, Ohio 43232

Wade M. Steckman Katherine P. Steckman 2794 Lake Park Drive Columbus, Ohio 43232

Willard E. Vangundy Heidi M. Vangundy 4383 Hickory Wood Drive Columbus, Ohio 43228

Angela M. Crawford, TR Teresa A. Carbonaro, TR 2784 Winchester Pike Columbus, Ohio 43232 William J. Salyer Jr. Kay E. Salyer 2825 S. Hampton Road Columbus, Ohio 43232

Rodney D. Sparks, TR 3088 Wessex Court Columbus, Ohio 43232

Maria G. Susi 3250 Refugee Road Columbus, Ohio 43232

Calvin United Presbyterian Church Cols 750 S. Roosevelt Avenue Columbus, Ohio 43209

Stephen H. Eichhorn 2915 Winchester Pike Columbus, Ohio 43232 Sec of HUD 4400 Will Rogers Pkwy Ste Oklahoma City, OK 73108

Speedway Superamerica LLC 539 S. Main St. Findlay, Ohio 45840

Larry D. Trimmer Kimberly L. Trimmer 3030 Wessex Court Columbus, Ohio 43232

Columbia Gas of Ohio Inc. 200 Civic Center Drive Columbus, Ohio 43216



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PROJECT DISCLOSURE STATE	MENT
Parties having a 5% or more interest in the project that is the THIS PAGE MUST BE FILLED OUT COMPLETELY	e subject of this application. AND NOTARIZED. Do not indicate 'NONE' in the space provided
	APPLICATION# 213-045
STATE OF OHIO COUNTY OF FRANKLIN	
Being first duly cautioned and sworn (NAME) Christo	pher A. Rinehart
of (COMPLETE ADDRESS) Rinehart Legal Services, Ltd. / 300 East E	Broad Street, Suite 450 / Columbus / Ohio / 43215
	T or DULY AUTHORIZED ATTORNEY FOR SAME and the tions or entities having a 5% or more interest in the project which
	Name of business or individual
	Business or individual's address
	Address of corporate headquarters
	City, Sate, Zip
	Number of Columbus based employees Contact name and number
	Contact name and number
1. TH Midwest, Inc. 2600 Corporate Exchange Blvd., Ste 170 Columbus, Ohio 43231 Address of Corporate Headquarters: 257 Centerville Road Lancaster, PA. 17603 Number of Columbus based employees: 100+ Contact Name / Number: Steve Fuller / 614-981-3255	2. Berwick Plaza Shopping Center, Inc. 191 W. Nationwide Blvd., 2nd Flr Columbus, Ohio 43215 Address of Corporate Headquarters: Same Number of Columbus based employees: 0 Contact Name / Number: Charlie Fraas / 614-227-3485
3.	4.
Check here if listing additional parties on a se	l eparate page.
SIGNATURE OF AFFIANT	UC. PH
Subscribed to me in my presence and before me this 2nd	day of July , in the year 2013
SIGNATURE OF NOTARY PUBLIC	
My Commission Expires:	

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here

JAMES ROBERT RISHEL ATTORNEY AT LAW Notary Public, State of Onio My Commission Has No Expiration Section 147.03 F.C.

PLEASE NOTE: incomplete information will result in the rejection of this submittal. Applications must be submitted by appointment. Call 614-645-4522 to schedule. Please make all checks payable to the Columbus City Treasurer



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: S

DATE: 7/1/13

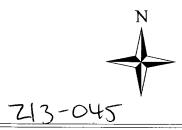


This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Grid North



City of Columbus Zoning Plat



ZONING NUMBER

The Zoning Number Contained on This Form is Herein Certified to Obtain Zoning, Rezoning, and Variances, and is NOT to be Used for the Securing of Building & Utility Permits

Parcel ID: 530148736

Zoning Number: 2735

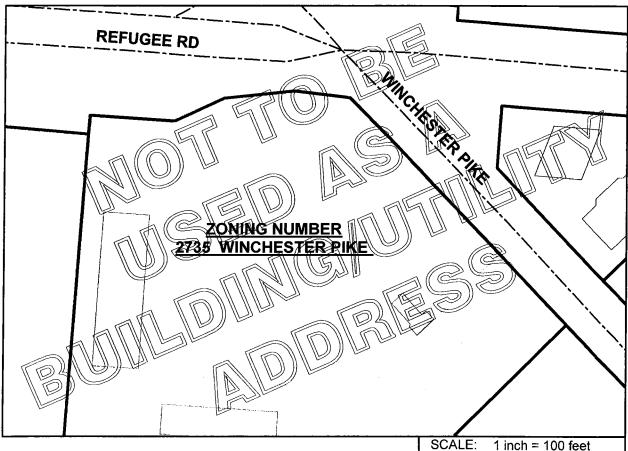
Street Name: WINCHESTER PIKE

Lot Number: N/A

Subdivision: N/A

Requested By: RINEHART LEGAL SERVICE, LTD. (CHIRSTOPHER)

Issued By: Date: 7/2/2013





PATRICIA A. AUSTIN, P.E., ADMINISTRATOR DIVISION OF PLANNING AND OPERATIONS COLUMBUS, OHIO

GIS FILE NUMBER: 13805

CPD TEXT

CPD, COMMERCIAL PLANNED DISTRICT

2.5 ACRES +/-

EXISTING DISTRICT:

LM, Limited Manufacturing; C-4, Regional Scale Commercial District

PROPOSED DISTRICT:

CPD, Commercial Planned District

PROPERTY ADDRESS:

2837 Winchester Pike / Part of Parcel I.D.: 530-148736

PROPERTY OWNER:

Berwick Plaza Shopping Center, Inc. 191 W. Nationwide Blvd., 2nd Floor

Columbus, Ohio 43215

APPLICANT:

TH Midwest, Inc.

2600 Corporate Exchange Blvd., Ste 170

Columbus, Ohio 43231

c/o:

Christopher A. Rinehart, Esq. Rinehart Legal Services, Ltd. 300 East Broad Street, Suite 450

Columbus, Ohio 43215

DATE OF TEXT:

July 2, 2013

APPLICATION NUMBER:

213-045

INTRODUCTION:

The subject property consists of part of an existing parcel totaling 2.5 +/- acres located at 2837 Winchester Pike ("Site"). The Site is currently occupied by the Berwick Plaza Shopping Center and is zoned LM, Limited Manufacturing, and C-4, Regional Scale Commercial District.

Applicant proposes to rezone the Site to CPD, Commercial Planned District, to allow the construction of a Turkey Hill Minit Market. The approximate 2.5 acre site will be developed with a retail convenience store with a fuel sales canopy that includes ten pump island dispensers, totaling twenty fueling positions, as illustrated on the attached CPD Site Plan. This CPD text is submitted in support of the zoning application.

1. PERMITTED USES:

A. Chapter 3356 (C-4), Regional Scale Commercial District

1. Unless otherwise indicated herein, the permitted uses in, on or upon the Site shall be those allowed in Chapter 3356 (C-4), of the Columbus City Code.

B. Chapter 3357 (C-5), Highway Oriented Commercial Development

- 1. Unless otherwise indicated herein, the permitted uses in, on or upon the Site shall include an automobile service station as permitted by Chapter 3357 (C-5) of the Columbus City Code.
- 2. **DEVELOPMENT STANDARDS:** Unless otherwise stated herein, the applicable development standards shall be as specified in Chapter 3356 and, to the extent such standards relate to automobile service stations, those specified in Chapter 3357.

A. Density, Lot, and/or Setback Commitments

1. Building Setbacks:

The minimum building setback from Winchester Pike and Refugee Road shall

be as shown on the attached site plan.

Parking Setbacks:

The minimum parking, loading and maneuvering setback shall be as shown on

the attached site plan.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments

- 1. Any and all traffic-related commitments shall be designated and located to the specifications of the City of Columbus Planning and Operations Division.
- 2. Curb cuts shall be approved by the City of Columbus Planning and Operations Division. Access to and from the Site is proposed to be provided from one access point located along Refugee Road and one access point along Winchester Pike. Additional access shall be provided via the existing shopping center.
- C. Buffering, Landscaping, Open Space and/or Screening Commitments

[N/A]

D. Building Design and/or Interior-Exterior Treatment Commitments

[N/A]

- E. Lighting, Outdoor Display Areas, and/or Other Environmental commitments
- 1. Outdoor display and/or sales shall be limited to the following areas:
- a. Outdoor displays shall be permitted on an internal sidewalk and shall be located in a manner that maintains a four (4) foot wide clear walkway for pedestrians at all times.
- b. Pump island end cap displays shall not exceed a footprint of 3' x 3' nor exceed a height of 4'.

F. Graphic and Signage Requirements

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33, of the Columbus City Code as it applies to the C-4, Regional Scale Commercial District, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous Commitments

- 1. The Site shall be developed in accordance with the site plan and details. The plans may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and when engineering plans are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of Development of Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.
- 2. Section 3357.18 of Columbus City Code shall apply if fuel sales are abandoned according to the definition included in this Section of the Columbus City Code. The owner/lessee shall follow the requirements found in Section 3357.18 (a through e) in order to secure the site and maintain the aesthetics of the property.

H. CPD Criteria

1. Natural Environment

The Site is located at the intersection of Refugee Road and Winchester Pike. The natural environment of the Site is a shopping center.

2. Existing Land Use

The property is currently zoned LM, Limited Manufacturing, and C-4,Regional Scale Commercial District. The rezoning permits commercial use of the Site pursuant to existing C-4 standards as well as a limited C-5 use for an automobile service station and ancillary parking.

3. Transportation and Circulation

There will be direct vehicular access to the Site from Refugee Road, Winchester Pike, and the existing shopping center, as illustrated on the attached CPD Site Plan.

4. Visual Form of the Environment

The existing uses/zoning of the surrounding properties are as follows:

West: The property to the west of the subject site was annexed into the City in 1967 and is currently zoned R1. The property is owned by the Pentecostal Worship Center.

North: There are multiple properties across Refugees Road to the north of the subject site that are either zoned C-4 or M.

East: There are multiple properties across Winchester Pike to the east of the subject site that are zoned C-4.

South: The existing shopping center, the Berwick Shopping Center, is located to the south of the subject site and is zoned LM.

5. View and Visibility

The Site is clearly visible from Refugee Road and Winchester Pike.

6. Proposed Development

The proposed development is a Turkey Hill Minit Market with a retail convenience store and a fuel sales canopy that includes ten pump island dispensers, totaling twenty fueling positions, as illustrated on the attached CPD Site Plan.

7. Behavior Patterns

As indicated and set forth on the site plan, access to the Site will be facilitated from Refugee Road, Winchester Pike, and the existing shopping center. The proposed development is not expected to significantly alter existing traffic behavior patterns.

8. Emissions

No adverse emissions are expected from this development.

9. Variances.

The use of the CPD mechanism permits certain variances to the required development standards. Applicant requests the variances set forth in Section I below.

I. Variances.

Applicant seeks variances to the following provisions of the Columbus City Code:

1. 3357.04 Service Station Site Standards

The applicant seeks a variance to the above-referenced section to permit the canopy of the fuel station to be developed as shown on the attached Site Plan.

- 2. 3312.11 Drive-Up Stacking Area
- a. The applicant seeks a variance to the above-referenced section to allow the fuel dispensers to be located as shown on the depicted site plan

The undersigned, being the owner of the subject property together with the applicant in the subject application, or other authorized representatives do hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by the above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Code.

SIGNATURE:

DATE:

July 2, 2013

